

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AUSTIN ISAAC FURR

Defendant.

Case No.: CR-23-01-RAW

Date: 04/12/2024

Time: 8:59 a.m. – 9:11 a.m.

MINUTE SHEET – SENTENCING HEARING

U.S. District Court Judge Ronald A. White

Teka Stephens, Deputy Clerk

Joanna Smith, Reporter

FTR Courtroom: 2 - Room 224

Counsel for Plaintiff: Jordan Howanitz, Asst. United States Attorney

Counsel for Defendant: Warren Gotcher, Asst. Federal Public Defender ☒ Defendant appears in person with counsel☒ Plaintiff & Defendant reviewed PSI:☐ Government

Objections:

☐ Yes☒ No☐ Defendant

Objections:

☐ Yes☒ No☒ PSI will form factual basis for sentencing☒ Terms of Plea Agreement outlined by Govt. ☒ Defendant agreed☒ Findings: Court adopts Plea Agreement as set forth in this matter☒ Court GRANTED Government's Motion for One Point Reduction.

ADDITIONAL MINUTES: Government advised that victims were notified but not present. Court made inquiry of defendant as to his change of plea before U.S. Magistrate Judge. Defendant and his counsel responded confirming the consent. ENTERING FINDING and affirming the finding of guilt and acceptance of plea before the U.S. Magistrate Judge. (RAW)

☒ Defendant and counsel asked if they care to say anything prior to sentence being pronounced☐ Statements by Government in aggravation/mitigation of punishment☒ Statements by defendant's counsel – Sentencing Memorandum filed☒ Statements by defendant**SENTENCE: As to Counts 1 of the Information**☒ Bureau of Prisons for a term of 80 months☐ Concurrent☐ Consecutive

The Court recommends that the Bureau of Prisons evaluate and determine if defendant is a suitable candidate for the Intensive Drug Treatment Program. Should defendant be allowed to participate in the program, it is further recommended that defendant be afforded the benefits prescribed and set out in 18 U.S.C. Section 3621(e) and according to Bureau of Prisons' policy.

☒ Supervised Release for a term of 3 years☐ Concurrent☐ Consecutive☒ Special Assessment: \$ 100.00☒ due immediately☐ Fine: _____☐ with interest☐ interest waived☐ Restitution: _____☐ with interest☐ interest waived☒ **STANDARD CONDITIONS** of Probation/Supervised Release given, including the following **Special Conditions:**

1. Defendant shall participate in a program approved by the United States Probation Office for the treatment of narcotic addiction, drug dependency, or alcohol dependency, which will include testing to determine if defendant have reverted to the use of drugs or alcohol and may include outpatient treatment. 2. Defendant shall successfully participate in a program of mental health treatment and follow the rules and regulations of the program. The probation officer, in

consultation with the treatment provider, will determine the treatment modality, location, and schedule. Defendant shall waive any right of confidentiality in any records for mental health treatment to allow the probation officer to review the course of treatment and progress with the treatment provider. Defendant must pay the costs of the program or assist (co-payment) in payment of the costs of the program if financially able. 3. Defendant shall submit to a search conducted by a United States Probation Officer of defendant's person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation.

☒ REASONS FOR IMPOSING SENTENCE given by Court

☒ Defendant advised of right to appeal ☐ Defendant gives oral notice of appeal

☒ Remaining counts ordered dismissed: Indictment

☒ Defendant requested designation to a BOP facility FCI in Nashville, TX ☒ So recommended by the Court.

Court recommends that the Bureau of Prisons evaluate and determine if the defendant should be given credit toward this sentence for any time previously served in custody, and further award the defendant credit for such time served in accordance with Bureau of Prisons policy.

☒ Defendant remanded to the custody of the U.S. Marshal

☐ Court adjourned